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N. K. Kimball  
2/20/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Sharon L. Morris, R.N., and Dean E. Morris

DATE: February 12, 1997

SERIAL NO.: 08/286,413

GROUP ART UNIT: 2111

FILED: August 5, 1994

EXAMINER: Randy Gibson

FOR: "Automatic Surgical Sponge Counter and Blood Loss Determination System"

ATTORNEY DOCKET NO.: A94087US (51929/1)

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SUPPLEMENTAL RULE 116 RESPONSE

Box AF  
Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

This is a supplemental response to the Office Action dated July 25, 1996. An earlier response filed by fax on September 24, 1996 has been entered. A notice of appeal was filed on November 25, 1996. A petition for a one-month extension of time was filed by fax on February 10, 1997.

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Amendment.  
RVC  
2/11/97

AMENDMENT

Please amend the application as follows:

IN THE CLAIMS:

Please amend the claims as follows:

D1  
1. (three times amended) Apparatus for automatically counting used surgical sponges and determining the amount of blood contained in the surgical sponges, each sponge having a dry weight before being used to absorb fluids and an indicating means thereon for indicating the approximate dry weight of the sponge, the approximate dry weight of the sponge including the weight of the indicating means, the apparatus comprising:

(a) a container for containing used surgical sponges, the container having an opening through which used surgical sponges enter the container;

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**FAX TRANSMISSION****FROM:**

Seth M. Nehrbass, Patent Attorney, Reg. No. 31,281

**TO:**

Examiner Randy Gibson

Group 2100

U.S. Patent &amp; Trademark Office

Washington, DC 20231

Tel.: 703-308-1765

**FAX NO.: 703-305-3431****DATE:** February 12, 1997**NUMBER OF PAGES, INCLUDING THIS ONE: 9****RE: U.S. Patent Application Serial No. 08/268,413****MESSAGE FOR FAX ROOM PERSONNEL:**

Enclosed are a response and the second page of the declaration of Ken Newgard, M.D. Please deliver them to Examiner Gibson in Art Unit 2111 as soon as possible.

Thank you.

**MESSAGE FOR EXAMINER GIBSON:**

As we discussed today, enclosed is the second page of Dr. Newgard's declaration. Also enclosed is a response which I believe

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includes the amendments to which we had agreed. If I am mistaken, please call me.

Thank you for your assistance.

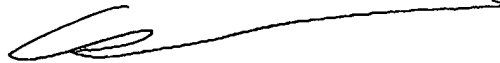
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on February 12, 1997.



\_\_\_\_\_  
Signature

Seth M. Nehrbass

\_\_\_\_\_  
(Typed or printed name of person signing)

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